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PACIFIC  **TELESIS**
Group - Washington

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April 5, 1993

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Donna R. Searcy
Secretary
Federal Communications Commission
Mail Stop 1170
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Dear Ms Searcy:

Re: *RM-8179 - Policies and Rules Pertaining to the Regulation of Cellular Carriers*

On behalf of Pacific Bell and Nevada Bell, please find enclosed an original and six copies of their "Reply Comments" in the above proceeding.

Please stamp and return the provided copy to confirm your receipt. Please contact me should you have any questions or require additional information concerning this matter.

Sincerely,

William F. Adler
WFA

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

APR 25 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Policies and Rules Pertaining to the)
Regulation of Cellular Carriers)
)

RM-8179

REPLY COMMENTS OF PACIFIC BELL AND NEVADA BELL

Pacific Bell and Nevada Bell (hereinafter the "Pacific Companies") submit these Reply Comments. The Declaratory Ruling and Petition for Rulemaking ("Petition") filed by the Cellular Telecommunications Industry Association ("CTIA") is premature.

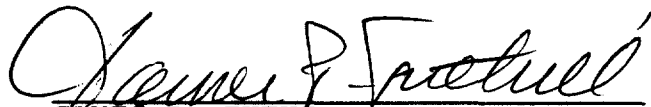
The Pacific Companies agree with the comments of the United States Telephone Association ("USTA") that "any action taken pursuant to this Petition could prejudice" the Commission's current rulemaking on tariff filing requirements, CC Docket No. 93-36, USTA, p. 5. Therefore, the issues presented by CTIA's Petition should be addressed in that docket.

Commenters who support CTIA's Petition state that cellular services are intrastate because they fall within the exemption provided by Section 221b for local exchange services which cross state boundaries, New Par, p. 2, McCaw, p. 14. While some cellular services may be intrastate under Section 221b and thus exempt from federal tariffing requirements, CTIA and its supporters fail to address whether or not cellular common carriers provide interstate access services which are interstate and which do require federal tariffs.

Finally, the Pacific Companies disagree with the commenters who claim that cellular providers should be declared nondominant and given streamlined treatment for tariff filings. As we have stated in other proceedings, the Commission should analyze the issues of competition and dominance/nondominance by markets and not by provider category. If a market is competitive, then all participants should be treated equally. CTIA's Petition seeks to address these issues in an ad hoc manner. That is wrong. All of the issues should be addressed in one proceeding concerning all market participants.

Respectfully submitted,

PACIFIC BELL
NEVADA BELL



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Date: April 5, 1993

CERTIFICATE OF SERVICE

I, Shirley Kotas, certify that the following is true and correct:

I am a citizen of the United States, State of California and over eighteen years of age.

My business address is 140 New Montgomery Street, San Francisco, CA 94105.

On April 5, 1993, I served the attached "Reply Comments of Pacific Bell and Nevada Bell" by placing true copies thereof in envelopes addressed to the parties in the attached list, which envelopes, with postage thereon fully prepaid, I then sealed and deposited in a mailbox regularly maintained by the United States Government in the City and County of San Francisco, State of California.

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By: Shirley Kotas
Shirley Kotas

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RM-8179

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